

BILL NO. X-79-02-41

ANNEXATION ORDINANCE NO. X-~~02~~ 02-79

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

A part of the Southwest Quarter, Section 12, T-31-N, R-12-E described as follows:

Beginning at a point on the north right-of-way line of Cook Road which is 80 feet east of the southwest corner of said Section 12 and 40 feet north of the south line of said Section 12, thence following the east right-of-way line of Coldwater Road N.33°16'18"W.54.92 feet; thence N.00°38'40"W.396 feet; thence N.5°51'52"W.219.91 feet; thence N.00°38'40"W.720.8 feet to a point on the east right-of-way line of Coldwater Road which is 30 feet east of the centerline of Coldwater Road and 1421.8 feet north of the centerline of Cook Road; thence N.89°06'20" E.150 feet to a point which is on an arc of a circle with a radius of 50 feet and the center of which is on the continuation of the above line; thence on a curve to the right having a radius of 50 feet a distance of 130.9 feet to a point, said point also being derived by a chord line of 96.59 feet having a bearing of S.75°53'40"E.; thence N.89°06'20" E.674.28 feet; thence S.00°53'40"E.140 feet; thence S.71°18'09"E.61.96 feet to the northwest corner of Lot 122 Wheatridge, Sec. 1 Add.; thence N.68°17'40"E.135.00 feet; thence N.52°35'41"E.133.54 feet; thence N.29°49'20"E.520 feet; thence S.60°10'40"E.50 feet; thence N.29°49'20"E.135 feet; thence S.60°10'40"E. 150 feet; thence N.29°49'20"E.15 feet; thence S.60°10'40"E.530.33 feet; thence S.35°10'40"E.591.53 feet; thence S.00°28'36"E.1065.49 feet to a point on the north right-of-way line of Cook Road; thence S.89°50'18"W.2453 feet along the north right-of-way line of Cook Road to the point of beginning.

SECTION 2. Governmental and proprietary services of the City of Fort Wayne will be provided to the above described area within a period of three (3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City

Annexation Ordinance
Bill No. X-79-

Page two

which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

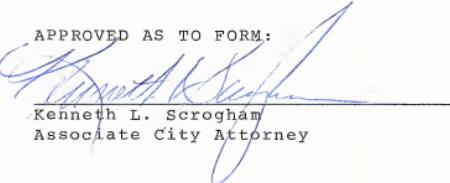
SECTION 4. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. After its passage, approval by the Mayor, final publication and the required sixty (60) day remonstrance period, this ordinance shall be in full force and effect.



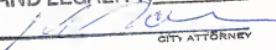
Councilperson

APPROVED AS TO FORM:



Kenneth L. Scroggins
Associate City Attorney

APPROVED AS TO FORM
AND LEGALITY



J. E. Etter
CITY ATTORNEY

Read the first time in full and on motion by ____, seconded by ____

Hings, and duly adopted, read the second time by title and referred to the Committee on Connestiss (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on ____, the ____ day of ____, 19____ at ____ o'clock M., E.S.T.

DATE: 2-27-79

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by ____, seconded by ____, and duly adopted, placed on its passage.

PASSED ~~(POST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>		<u>1</u>		
BURNS	<u>✓</u>				
HINGA	<u>✓</u>				
HUNTER	<u>✓</u>				
MOSES	<u>✓</u>				
NUCKOLS	<u>✓</u>		<u>✓</u>		
SCHMIDT, D.	<u>✓</u>				
SCHMIDT, V.	<u>✓</u>				
STIER	<u>✓</u>				
TALARICO	<u>✓</u>				

DATE: 5-22-79

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. X-02-79 on the 22nd day of May, 1979.
ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

PRESIDING OFFICER

Winfred C. Mass Jr.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979 at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 1st day of June, 1979
at the hour of 9:00 o'clock A. M., E.S.T.

Robert E. Ellsworth
MAYOR

Bill No. X-79-02-41

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3

(Wheatridge.)

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

JAMES S. STIER - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JOHN NICKOLS

SAMUEL J. TALARICO

5-22-19 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

Memorandum

To Members of the Common Council Date March 27, 1979
From John Stafford, C.D. & P. J.S.
Subject Wheatridge "I" Annexation

COPIES TO:

The City Plan Commission has recommended to the Council a "Do Pass" for the immediate annexation of Wheatridge "I". Enclosed is the resolution, the original ordinance, and a copy of the study for the annexation of Wheatridge "I".

If you have any questions about this annexation, please feel free to contact this office.

RESOLUTION OF THE CITY PLAN COMMISSION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana referred a proposed annexation for WHEATRIDGE I, BILL NO. X-79-02-41; and,

WHEREAS, the City Plan Commission reviewed such proposed ordinance and fiscal plan on March 26, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that the advantages to the City outweigh the disadvantages, the annexation will be in the best interest of and a benefit to the area involved and of and to the City, the City would continue to realize an active growth from the standpoint that development has already taken place around the City, and the annexation will not be detrimental to and does not conflict with the overall City plan;

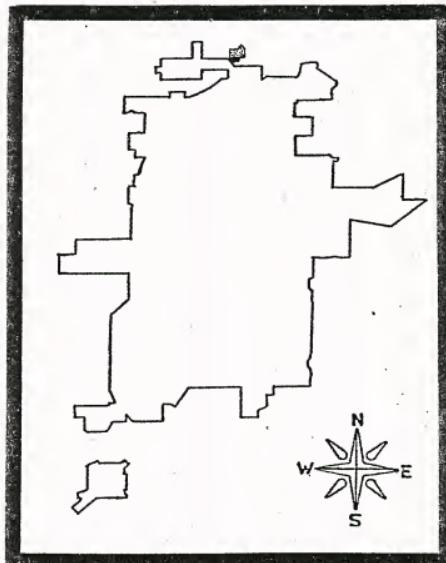
BE IT FURTHER RESOLVED that the Commission proposes that the effective date for Bill No. X-79-02-41 be immediate;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council.

This is to certify that the above resolution was adopted at the meeting of the City Plan Commission held on March 26, 1979

Thomas Adams
Thomas Adams
Secretary

Certified and signed this 25th day of MARCH, 1979.



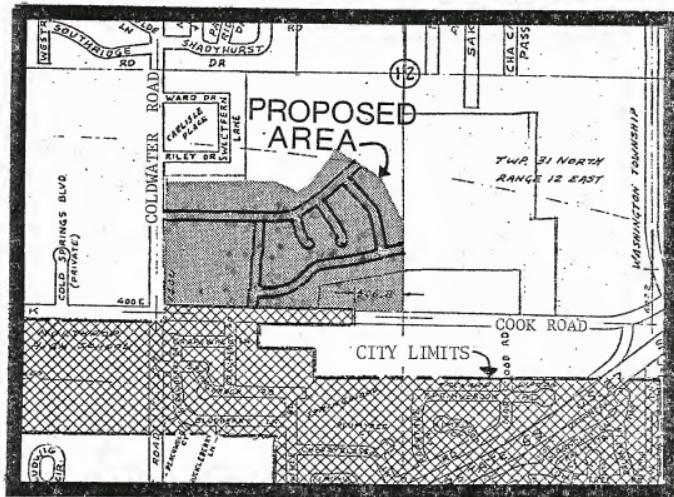
WHEATRIDGE ANNEXATION

BILL NO. X-79-02-41

ORDINANCE NO.

EFFECTIVE DATE

CITY OF FORT WAYNE C.D.&P.



INTRODUCTION

Wheatridge is a developing residential area located north of the City of Fort Wayne in Washington Township. It is presently in its first phase of development, and it is this phase that is being considered for annexation. Furthermore, it is the intention of the City of Fort Wayne to annex each section of Wheatridge as it develops.

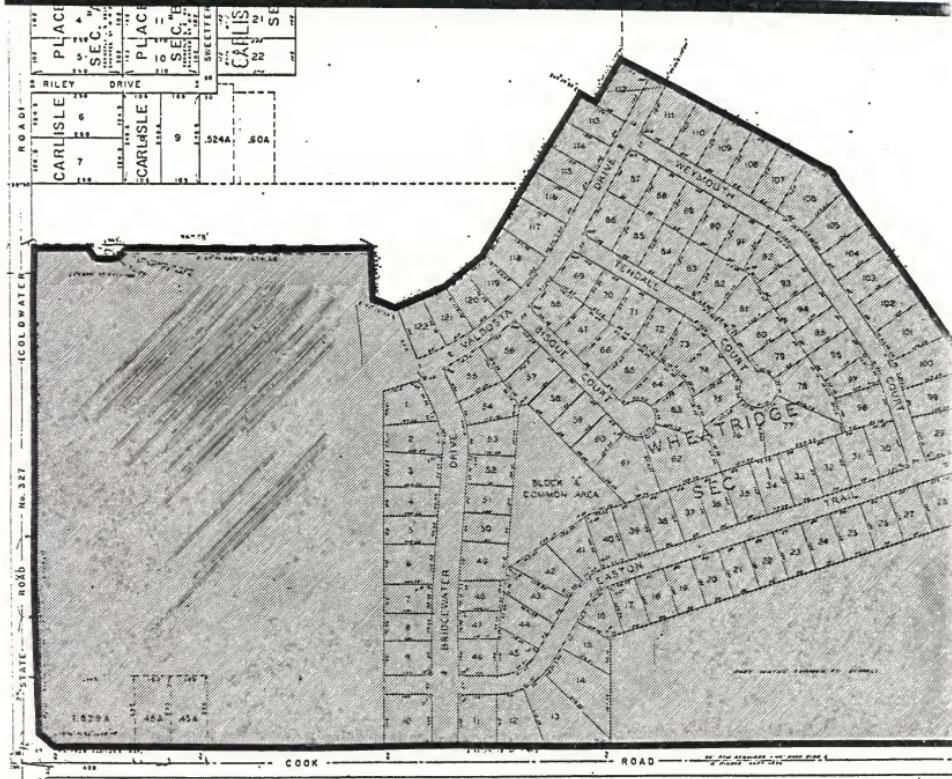
The Wheatridge I annexation area meets the necessary Indiana criteria for annexation by being at least 25% contiguous to the City and by the fact that it is "needed and can be used by the City for its future development in the reasonably near future."

Recent population studies show that people are leaving the City at a rate of approximately 100 persons per month. Because the vast majority a vacant land suitable for new residential development is located outside the city limits, more and more people continue to buy new homes in areas beyond the city limits. Wheatridge is such an area. Rapid development is occurring in this area, producing a large demand for municipal services. Annexation is a means to insure the delivery of such services in an orderly and efficient manner.

The following report describes the area's basic features, sets forth a municipal service plan, summarizes the financial impact of annexation upon the City, and recommends a course of action.

WHEATRIDGE 1

ANNEXATION AREA



BASIC DATA

At the time of this report (March 1979), the Wheatridge annexation area is essentially vacant. It is, however, starting to develop residentially and continued rapid development is expected. Since the area will be constantly changing, the basic data describes the estimated extent of development in the area as of the end of 1979.

1. Location

North of the City of Fort Wayne in Washington Township. More specifically, a part of the Southwest Quarter of Section 12, T31N, R-12E.

2. Size

84.61 acres or .13 square miles.

3. Population

449 People.

4. Buildings

Type	Number	Condition
Industrial	0	-
Commercial	0	-
Schools	1	Excellent
Residential (R-1)	126	Excellent-Good
Residential (R-3)	0	-

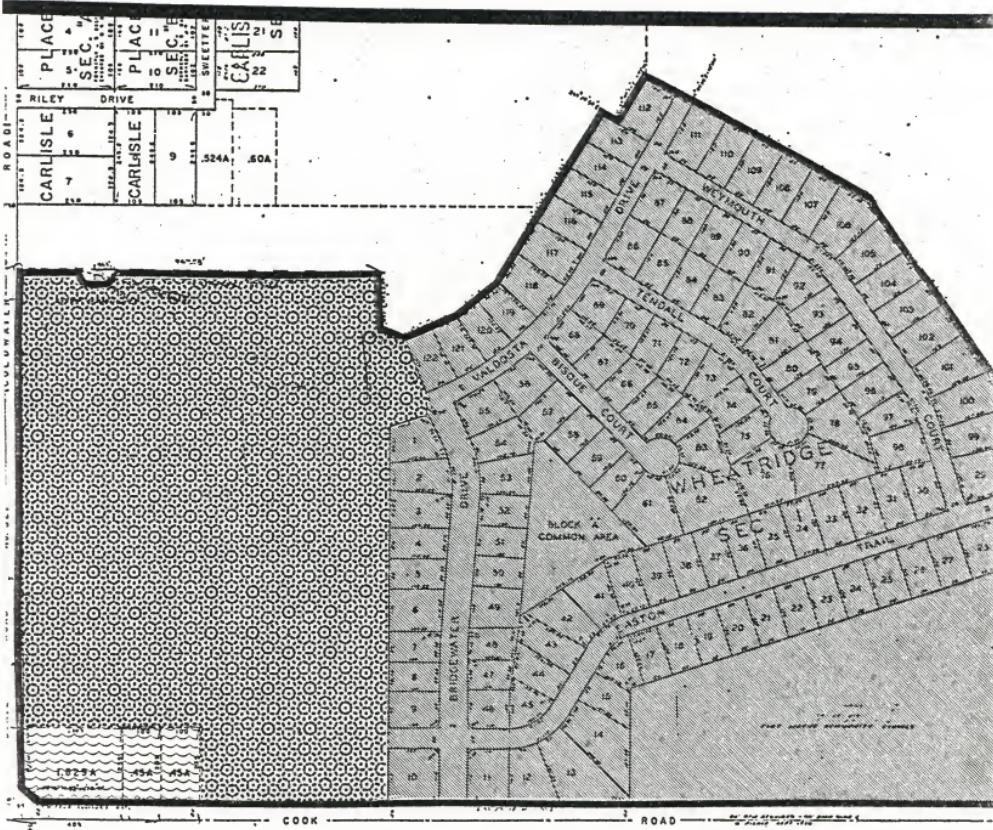
5. Land Use

Type	Acres	Percent
Residential	47.96	57%
Institutional	7.83	9%
Undeveloped	28.82	34%

6. Zoning

Percent	County Zone	Description	City Zone	Description
63%	RSP-1	Suburban Planned Res. (Single Family)	R-1	Single Fam. Res.
34%	RSP-3	Suburban Planned Res. (Multiple Family)	R-3	Multiple Fam.
3%	RS-1	Suburban Res. (Single Family)	R-1	Single Fam. Res.

ZONING MAP



Planning

Wheatridge I is the first phase of a planned 232 acre residential development, known as Wheatridge and Newberry. The plans call for mostly single family residences and some multi-family units. The entire area (Wheatridge and Newberry) should be fully developed within five years. There will be over 500 single-family homes and 300 multi-family units if all proceeds as currently planned. There will also be common areas to be maintained by the neighborhood associations.

Access to the Wheatridge area is already easily available from Coldwater Road and Cook Road. According to the 1990 Transportation Plan, Coldwater Road is classified as an arterial, as it is currently classified. No capital improvements are needed or scheduled for Coldwater Road except for the intersection improvement at Coldwater and Dupont Roads, located two miles north of Wheatridge I. Cook Road is classified as a collector and will retain that classification according to the 1990 Transportation Plan.

Wheatridge I is 36% contiguous to the City limits, and is therefore appropriate for adjacent urban growth. Such growth allows for more efficient planning and delivery of urban services as well as minimizing the problems of scattered growth. This concept has been adopted by the County and City Plan Commissions. Annexation furnishes the means for providing necessary municipal services to the area.

MUNICIPAL SERVICES

The costs listed in this section are estimates based on the level of development expected in Wheatridge I by December, 1979. Since this area is rapidly developing, it would be unrealistic to base cost estimates on current levels of development. As the area continues to develop, municipal services will be expanded to meet the needs.

State law requires that within three (3) years of annexation, the City provides the annexed area with "governmental and proprietary services substantially equivalent in standard and scope" to the services provided similar areas in the City. (I.C. 18-5-10-25(c)) This report contains a fiscal plan for doing so.

In 1970 the Fort Wayne City Council adopted Resolution No. R-83-70 (Bill No. R-70-07-24) that set forth a policy for providing services to newly annexed areas. This plan follows the directives of Resolution R-83-70 while conforming to existing laws, rules and regulations.

Municipal services are analyzed in terms of the needs of the Wheatridge I annexation area and the costs of providing the services to the area. As required by Indiana law, services will be provided in a manner that treats the Wheatridge I area the same way as similar areas in the City are treated. Services will be at City standard, and, where necessary for items such as new street lighting, the standard service provision process will be used just as it is used elsewhere in the City of Fort Wayne.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance immediately upon annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which can include resident petitioning and financial participation as well as the routine capital improvement procedures of the City. The water, sewer and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant State law and Utility policies. The Park facilities of the City will be available to residents with park development in the area contingent upon the park planning standards and methods used throughout the community. The specifics of implementing these services in the Wheatridge I annexation area are presented in the following reports.

1. Police

The Fort Wayne Police Department will become responsible for servicing the Wheatridge I area immediately upon annexation. This service generally includes the prevention and detection of criminal activity, the apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, the resolution of day to day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work such as

participation in court proceedings and protection of constitutional guarantees. Furthermore, it is responsible for the control of traffic and the promotion and preservation of civil order.

At the present time, there are 1,606 policemen per 1000 population. With an estimated 449 people in the Wheatridge I annexation, .785301 additional police officers and civilian personnel will be needed. The cost of additional equipment needed to support this area is also computed on a per capita basis. The table below summarizes the types of additions needed and their costs:

Account Name	Cost
.299034 of a vehicle (veh.gas,parts,etc.)	3738
.299034 of a portable radio	404
.711665 of a police officer	11,473
.073636 of a civilian	693
	Total 16,308
plus fringe benefits for police officers	2,294
	Total (with fringe benefits) 18,602

Funding for police services will come from local taxes, although any funds allocated to the General Fund can be used.

2. Fire

The Fort Wayne Fire Department will provide immediate service to the Wheatridge I area upon annexation. The services provided are the suppression of fire, fire prevention education, and fire inspections of churches and all commercial establishments.

The Fire Department will respond with fire-fighting equipment, materials, and personnel to the proposed annexation area as it responds to similar location within the City. The two primary response stations for the Wheatridge area will be Stations # 6 and # 13, both located on Coliseum Blvd. This annexation would not require additional personnel, equipment, nor a fire station. The only costs would be operating costs as listed below:

Annual Operating Cost ¹	\$164
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The source of funding for the Fire Department is the General Fund.

3. Emergency Medical Service

Upon annexation, residents of the Wheatridge I area will have, at their convenience, full time Emergency Medical Services.

1. These costs are computed using housing density and average run figures.

This includes ambulance coverage and first-aid treatments to victims of heart attacks, automobile and other accidents, and to others requiring immediate medical attention. On certain runs, the Fort Wayne Fire Department will provide extra assistance.

Response time for Wheatridge I will be within the acceptable range and should be nearly the same as that for adjacent areas to the south which are currently being served.

In order to calculate the cost of EMS to the Wheatridge I area, a per capita impact analysis is used. (Using an average of .08 runs per person, Wheatridge would generate 36 additional runs.) Since no new ambulances would be required, the only costs are operational ones.

Annual Operating Cost:	\$900
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The source of funding is the General Fund.

4. Solid Waste Collection

Under the terms of the present contract, the cost of solid waste collection is \$39.14 per household per year. With 126 single family dwelling units, the total cost will be 4,932 per year. If additional personnel are needed, they will be hired by the contractor. This service will be funded by the City's General Fund.

5. Traffic Control

The City of Fort Wayne will assume responsibility for traffic control in this area upon annexation. Traffic control involves the installation and maintenance of traffic control devices, as well as surveys and investigations.

The County Highway Department has indicated that a stop sign will be placed at the corner of Bridgewater Drive and Cook Road and a yield sign at the corner of Easton Trail and Bridgewater Drive. Once the proposed access onto Coldwater Road is completed, traffic control at that location will be required. Street name signs are the responsibility of the developer and shall be installed as the area is completed.

The Traffic Engineering Department has reviewed (on-site) the Wheatridge I area. If the proper uniform traffic control signs and street names signs are installed as planned, there would be little or no expense incurred by the Traffic Engineering Department in the first three years following annexation, other than the normal maintenance of all traffic signs in the area. All other traffic signs within the addition shall be installed as warrants are satisfied or once they are justified on a priority basis.

The source of funding for any future capital improvements or operating expenses are the General Fund, Revenue Sharing Funds, and occasionally, Motor Vehicle Highway Funds.

6. Street Lighting

All residences within Wheatridge I are required to have automatic yard lights within 15 feet of the street. It is the responsibility of the property owner to pay for energy and maintenance costs of these lights.

It is the goal of the City to light every unlit intersection within the city limits. In Wheatridge I, this would require 8 lights. Listed below are the costs of standard intersection lights for Wheatridge I:

	<u>Number of Intersections</u>	<u>Unit Price</u>	<u>Cost</u>
Capital Costs	8	\$550	\$4400
Energy&Maintenance	8	\$ 22	\$ 176

These lights would be funded 100% by the City of Fort Wayne. Capital costs would come from the Street Lighting Fund. The fund is composed of various combinations of Revenue Sharing monies, Light Lease Fund, General Fund, and property tax revenue, and is subject to change from year to year. For our purposes, we attribute these capital costs to property tax revenue (See Five Year Summary.) Operating costs would also be paid by the City.

If residents desire additional street lighting, they must petition for it. Petitions will be treated equally with those from other areas. Priority will be assigned on the basis of need and filing date. The City of Fort Wayne would pay the cost as funding is secured.

If residents desire ornamental lighting, they must pay the difference between the capital cost of standard and ornamental lighting. The City will still pay the operating costs.

7. Streets and Roads

This annexation will add 1.11 miles of residential streets to the City total. General maintenance of these streets would then be the responsibility of the City. This service includes snow and ice removal, mowing along the roadside, leaf pick-up, and surface maintenance. The average cost is \$2500 per mile of street, so Wheatridge I streets would cost \$2,775 a year to maintain.

Since all the streets within the annexation area are new, no capital improvements are needed.

The source of funding for street maintenance is the Street Department budget.

8. Parks

Within Wheatridge I, there will be 1.3 acres of common area. According to the Site Amenities Plan, the area shall include a tennis or basketball court. The maintenance of this area will be the responsibility of the neighborhood association.

There is currently a funmobile stop (summer recreation program) located closeby, in the Springwood Addition. There are also some recreational facilities located at Lincoln Elementary School within the annexation area. So, a funmobile stop would not be located within the Wheatridge I area, unless there is sufficient demand to justify its existence. Residents desiring such a program should submit their requests to the Department of Parks and Recreation.

UTILITIES

Fort Wayne City Utilities will provide water and sewer service to the Wheatridge I area. These services are paid for with user charges and tap fees, and not through Civil City property tax revenue.

1. Water

Construction of mains needed to serve the residents of Wheatridge I is being completed by the developer. It is the responsibility of the developer to have the construction of all water lines completed before residents may occupy homes in the area, so no additional mains will be required. All residents will be served by City Utilities.

2. Fire Hydrants

The Civil City of Fort Wayne pays the Water Utility \$151.20 annually for each fire hydrant located within the City. With 12 fire hydrants to be located within the Wheatridge I area, the annual cost for fire hydrants will be \$1814.40.

3. Sewers

All residents within the annexation area will be served by City Utilities Sewers. Construction of the sewers needed will be completed as the area is developed, so no additional lines will be necessary. It is the responsibility of the developer to have the construction completed before residents may occupy the homes in the area.

4. Storm Sewers

Storm Sewer plans have been approved by the County Surveyor and lines are presently being installed. At the time of annexation, a detailed engineering study will be made to determine what upgrading will be required to bring these systems up to city standards.

The City will maintain the existing storm sewers that were either constructed to city standards or that presently appear upon the sewer records of the City. If the constructed storm sewers do not meet city standard, the City will not take them over for maintenance. It is the responsibility of the property owners to upgrade the storm sewers to meet city standards before the City will accept them for future maintenance.

In order to obtain public storm sewer improvements, the property owners must submit written petitions to the Board of Public Works. Upon the receipt of a petition and direction from the Board of Works, the Water Pollution Control Engineering Department will investigate the petition's request and make its recommendation for the public improvement. The area could then be serviced within one year.

It is the City's policy that the financing of storm sewers will be the responsibility of the property owners. Residents can pay their share through Barrett Law Assessments which allow payment over a ten (10) year period at 6% interest.

FINANCIAL SUMMARY

1. Revenue

Since expenditures for the Wheatridge area have been based on the extent of development expected by December 1979, the revenue should also be based on the same amount of development.

Since Wheatridge I is not yet at this stage of development, the assessed valuation had to be estimated. Using an average assessment of 10,500 for the new homes to be constructed as well as the actual assessment of the homes already built, the assessed valuation for the Wheatridge area was determined. The assessed valuation for the whole area after it is developed is estimated to be \$1,300,530. Since each property owner is eligible for a \$1000 mortgage exemption and there will be 126 single family units, 126,000 is deducted from the total assessed valuation. Thus, \$1,174,530 is the amount applied to the City tax rate to determine the revenue derived from the city taxes. The City tax rate for 1979 is \$3.9068 per \$100 of assessed valuation. Therefore, the City would receive \$45,887 (1979 figure) in property tax revenue.² The table below illustrates this more clearly:

Assessed Valuation	\$1,300,530
Mortgage Exemption	- 126,000
	\$1,174,530

$$\text{Revenue from taxes} = 3.9068 \times 11,745.30 = \$45,886.54$$

There is another source of revenue for the City based upon population. The four sources are the Motor Vehicle Highway Tax, Alcoholic Beverage Gallonage Tax, Cigarette Tax, and Cumulative Capital. The table below gives an estimate of the monies to be received.

<u>Revenue Source</u>		<u>Wheatridge Population</u>	<u>Total</u>
MVH	\$9.37/CAP	449	\$4207
Alcoholic Ga.	1.62/CAP	449	727
Cigarette	1.24/CAP	449	557
Cumulative Cap.	4.62/CAP	449	2074
		TOTAL	\$ 7565

The money received from the Alcoholic Gallonage and the Cigarette Tax are placed in the General Fund. The MVH revenue is placed in its own separate MVH fund. The Cumulative Capital revenue is placed in its own fund or upon approval of the City Council, it may be placed in the General Fund. This revenue will only be gained if the effective date of annexation is before Jan. 1, 1980.

1. The assessed value of homes in comparable areas were used to determine the average assessed value for Wheatridge I homes.
2. Since, at the time of this study, the 1980 tax rate is not known, the 1979 tax rate and assessments applied to the 1979 rate had to be used.

2. Expenditures

Expenditures reported in the Municipal Services Section are summarized here. These have been based on the extent of development expected by December 1979. As the area continues to develop, services will have to be expanded and expenditures will be increased.

<u>Service</u>	<u>Capital Cost</u>	<u>Operating Cost</u>
Police	\$404	\$18,198
Fire		164
EMS		900
Solid Waste Collection		4,932
Traffic Control		
Street Lighting		
Intersections Only	4400	176
Street Maintenance		2,775
Parks		
Fire Hydrants		1,814

Utility costs are not reported here as they are paid for by the property owners and only after they request the improvements.

3. Five Year Summary

The Five Year Summary shows year by year expenditures for the first five years after annexation. Since the extent of additional development after the first year is unknown, year-by-year expenditures are expanded only to cover the effects of inflation. However, when additional development does take place, expansion of municipal services will occur, thereby increasing expenditures.

The same holds true for the revenue to be received. As the area continues to develop, the City will receive more tax revenue. However, since the amount of additional development is unknown at this time, the revenue for the city is only increased by 5% each year (the amount of levy increase expected).

The Five Year Summary includes the costs that are likely to be incurred with annexation such as police, fire protection, emergency medical service, solid waste collection, and traffic control. These are considered essential for the health and safety of the residents of the area. Street maintenance and fire hydrant rental are automatic with annexation so these costs are included. Other costs expected to be incurred within five years of annexation, such as intersection lights, are also included. However, these have often been funded through Revenue Sharing. Utility costs are not included since they will be undertaken only with resident participation and petitioning.

For the purpose of this summary, an effective date of December 31, 1979 is assumed.

<u>YEAR</u>	<u>EXPENDITURES</u>	<u>PROPERTY TAX REVENUE</u>	<u>POPULATION BASED REVENUE</u>	<u>TOTAL</u>
1980	28,959	-	7565	-21,394
1981	36,025	50,589	7565	+22,129
1982	32,969	53,118	7565	+27,714
1983	35,178	55,774	7565	+28,161
1984	37,535	58,563	7565	+28,593

Expenditures for 1980 include all operating costs that are automatic with annexation. Capital expenditures are made in the second year. The third year and thereafter, the only costs are operational ones. All costs after the first year include a 6.7% inflationary factor for each year.

Property tax revenue would not be collected until 1981 since the assessment date is March 1. Assuming annexation December 31, 1979, assessment will take place March 1, 1980 and revenue will not be collected until 1981. An increase will not be collected until 1981. An increase of 5% per year is included in the revenue figures since this is the expected amount of increase in the tax levy.

1. Statistical Abstract of the United States, Bureau of the Census, Table #700, p. 433, 1976

SUMMARY AND RECOMMENDATION

1. Indiana Annexation Statutes

In order for the City to successfully annex an area, it must meet the annexation criteria set forth by the Indiana Statutes (I.C. 18-5-10-25). The statutes states that:

- A. A city may annex an area that is bordered on one-fourth ($\frac{1}{4}$) of its aggregate external boundaries by the boundaries of the city....

The Wheatridge I area is 36% contiguous to the City of Fort Wayne and thus meets the above criteria.

- B. ... and is needed and can be used by the city for its future development in the reasonably near future.

The Wheatridge I area is already beginning to develop into a residential area. The City of Fort Wayne needs areas such as this in order to keep pace with growth in the community. As the community grows, the City must also grow in order to be financially capable of providing the municipal services demanded by residents of the urbanized area. Annexation, or the redefinition of the corporate limits, is one method a city may employ to insure the economic well-being of the city and its residents.

It is also needed to create a more equitable tax base for the City of Fort Wayne, which will ultimately enhance the future development of the City.

2. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered other annexation criteria in addition to those set forth by the State Statutes:

- A. The area proposed for annexation must have a unity of interest with the municipality.

Wheatridge I is actually a part of the Fort Wayne Urban Community. It is now adjacent to the City and many of the residents who will live there, will undoubtedly work, shop, and use recreational and cultural facilities within the city. The City, in return, will provide municipal services to the area.

- B. The advantages to the proposed annexation area must outweigh the disadvantages.

Advantages for the annexation area include the provision of municipal services, the acquisition of a voice in City Government by the residents, and the community benefit of a more equitable tax system. Also, Barrett Bonding for capital improvements will be available for Wheatridge residents. The only major disadvantage

to residents is the increase in property taxes necessary to pay for the increased municipal services.

C. The advantages to the City must outweigh the disadvantages.

The City would grow along with the urban area, thereby providing a strong tax base and the ability to provide adequate services. Annexation of this area would help eliminate the already existing tax inequities for urbanites. City residents pay City and County taxes which help support services to the growing urbanized county residents. Yet, urban county residents do not pay city taxes to support the services they are using. Therefore, annexation is a means to insure that all urbanites share equally in the cost of urban services. Annexation will also facilitate the thorough and efficient provision of urban services.

D. The deficit of income against expenses to the City must not be unreasonable.

As shown in the Five Year-Summary, the first year deficit is \$21,394. However, in the second year the deficit is paid for and from then on, the City would realize a positive annual income of approximately \$28,000.

E. The City must desire to annex the area.

The Wheatridge area is a logical extension of the City since it borders the City. Annexation of Wheatridge will help the City grow in a logical and orderly manner, as well as help preserve a solid tax base.

It is with careful thought and consideration that the Department of Community Development and Planning recommends that this area be annexed to the City of Fort Wayne, as it meets both the legal and local criteria for an acceptable and beneficial annexation.

Journal Gazette
4-4-79

The council also agreed to conduct a public hearing on the proposed annexation of Wheatridge Addition at 7:30 p.m. April 25 in conjunction with the hearing on the proposed annexation of Blackhawk Addition.

DIGEST SHEET

TITLE OF ORDINANCE Annexation Ordinance - Wheatridge Phase I *X-79-02-41*

DEPARTMENT REQUESTING ORDINANCE Community Development & Planning

SYNOPSIS OF ORDINANCE Ordinance describes area to be annexed and makes the annexation fiscal plan a part of the official record of the City.

EFFECT OF PASSAGE Annexes Phase I of Wheatridge to the City. Plan to provide area with City services will be prepared by CD&P.

EFFECT OF NON-PASSAGE Area described is not annexed.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be described in annexation fiscal plan to be prepared by CD&P.

(ASSIGN TO COMMITTEE (J.N.) Annexation)



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk - room 122

June 1, 1979

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of June 6 and June 13, 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common
Council of Fort Wayne, Indiana

Bill No. X-79-02-41
Annexation Ordinance No. X-02-79

Please send us 5 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the
BILL NO. X-79-02-41
X-02-79 Annexation following Ordinance, to-wit:

BILL NO. X-79-02-41

ANNEXATION ORDINANCE NO. X-~~2~~ 02-79

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

A part of the Southwest Quarter, Section 12, T-31-N, R-12-E described as follows:

Beginning at a point on the north right-of-way line of Cook Road which is 80 feet east of the southwest corner of said Section 12 and 40 feet north of the south line of said Section 12, thence following the east right-of-way line of Coldwater Road N.33°16'18"W.54.92 feet; thence N.00°38'40"W.396 feet; thence N.5°51'52"W.219.91 feet; thence N.00°38'40"W.720.8 feet to a point on the east right-of-way line of Coldwater Road which is 30 feet east of the centerline of Coldwater Road and 1421.8 feet north of the centerline of Cook Road; thence N.89°06'20"E.150 feet to a point which is on an arc of a circle with a radius of 50 feet and the center of which is on the continuation of the above line; thence on a curve to the right having a radius of 50 feet a distance of 130.9 feet to a point, said point also being derived by a chord line of 96.59 feet having a bearing of S.75°53'40"E; thence N.89°06'20"E.674.28 feet; thence S.00°53'40"E.140 feet; thence S.71°18'09"E.61.96 feet to the northwest corner of Lot 122 Wheatridge, Sec. 1 Add.; thence N.68°17'40"E.135.00 feet; thence N.52°35'41"E.133.54 feet; thence N.29°49'20"E.520 feet; thence S.60°10'40"E.50 feet; thence N.29°49'20"E.135 feet; thence S.60°10'40"E. 150 feet; thence N.29°49'20"E.15 feet; thence S.60°10'40"E.530.33 feet; thence S.35°10'40"E.591.53 feet; thence S.00°28'36"E.1065.49 feet to a point on the north right-of-way line of Cook Road; thence S.89°50'18"W.2453 feet along the north right-of-way line of Cook Road to the point of beginning.

SECTION 2. Governmental and proprietary services of the City of Fort Wayne will be provided to the above described area within a period of three (3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City

which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. After its passage, approval by the Mayor, final publication and the required sixty (60) day remonstrance period, this ordinance shall be in full force and effect.


(James S. Stier)
Councilperson

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt,
Stier, Talarico

Nays: None

Abstained: One
Nuckols

Date: 5-22-78

Charles W. Westerman/ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman/ne Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman/ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-79 passed by the Common Council on the 22nd day of May, 1979, and that said Ordinance was duly signed and approved by the Mayor on the 1st day of June, 1979 and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 1st

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt,
Stier, Talarico

Nays: None
Abstained: One
Nuckols

Date: 5-22-78

Charles W. Westerman/ne
City Clerk

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WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 1st day of June, 19 79.

SEAL

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Common Council of the City of Fort Wayne
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	
Body	number of lines	157
Tail	number of lines	2
Total number of lines in notice		159

COMPUTATION OF CHARGES

159	1	159	259	41.18
.....lines,.....	columns wide equals.....	equivalent lines at.....		\$.....
cents per line				

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	3 extra @ .50	1.50
TOTAL AMOUNT OF CLAIM.		42.68
		\$.....

DATA FOR COMPUTING COST

Width of single column 9.9 cms	Size of type.....	5 1/2	point
2			
Number of insertions.....	Size of quad upon which type is cast.....	5 1/2	

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date.....June 13, 1979.....

Title.....CLERK.....

V. E. Gerken

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....V. E. GERKEN.....who, being duly sworn, says that she is.....CLERK.....of the

NEWS-SENTINEL

DAILY

newspaper of general circulation printed and published in the English language in the city of.....FORT WAYNE, INDIANA.....town

state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for.....two times....., the dates of publication being follows: 6/6 - 6/13/79

scribed and sworn to before me this.....13th.....day of June.....19.....79.....

*V. E. Gerken*Harry J. O. *Notary Public*

My commission expires.....September 28, 1979.....

Common Council of the City of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To..... JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines
Body	number of lines	157
Tail	number of lines	2
Total number of lines in notice		159

COMPUTATION OF CHARGES

159 lines, 1 columns wide equals 159 equivalent lines at .259	\$ 41.18
	cents per line	

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	3 extra @ .50	1.50
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TOTAL AMOUNT OF CLAIM.		\$ 42.68
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DATA FOR COMPUTING COST

Width of single column 9.9 cms	Size of type $\frac{5}{12}$ point
Number of insertions 2	Size of quad upon which type is cast $\frac{5}{12}$...

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

June 13 1979

Title..... CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana

FORT WAYNE, INDIANA

JUN 13 1979

CLERK

CLERK